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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/807,549

03/23/2004

Surendra J. Perera

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06/21/2006

MOTOROLA, INC
INTELLECTUAL PROPERTY SECTION
LAW DEPT
8000 WEST SUNRISE BLVD
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EXAMINER

CONTEE, JOY KIMBERLY

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 06/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/807,549	Applicant(s) PERERA ET AL.	
	Examiner Joy K. Contee	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,8-10,14 and 15 is/are rejected.
- 7) ☒ Claim(s) 3-7,11-13 and 16-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1,2,8,9,10,14 and 15 have been considered but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,2,8,9,10,14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Antti, US 2002/0077078, in view of Gallagher et al. (Gallagher), US 2004/0192211.

Regarding claims 1-18, Antti discloses a method for authenticating a wireless device with a fixed station, the method receiving a first authentication request from the wireless device at the fixed station when the wireless device detects that the fixed station is in close proximity, the first authentication request including a first unique identifier for identifying the wireless device and a second unique identifier for identifying the fixed station (page 5, [0192-0103]).

Antti fails to disclose receiving a second authentication request from the fixed station when the fixed station detects that the wireless device is in close proximity, the second authentication request including the second unique identifier for identifying the fixed station; and authenticating the wireless device

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with the fixed station based on whether the second unique identifier received in the first authentication request matches the second unique identifier received in the second authentication request, and also based on whether the first unique identifier received in the first authentication request is associated in an authentication database with the second unique identifier received in the second authentication request .


In a similar field of endeavor, Gallagher discloses receiving a second authentication request (reads on authentication request including IMSI and RAND) from the fixed station when the fixed station detects that the wireless device is in close proximity, the second authentication request including the second unique identifier for identifying the fixed station; and authenticating the wireless device with the fixed station based on whether the second unique identifier received in the first authentication request matches the second unique identifier received in the second authentication request, and also based on whether the first unique identifier received in the first authentication request is associated in an authentication database with the second unique identifier received in the second authentication request; and assuming the identity of the wireless device at the fixed station after authentication the wireless device with the fixed station (see Fig. 11 and pages 7-8 [0079-0083]).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Gallagher to include receiving a second authentication request (reads on authentication request including IMSI and RAND) from the fixed station when the fixed station detects that the wireless device is in close

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proximity, the second authentication request including the second unique identifier for identifying the fixed station; and authenticating the wireless device with the fixed station based on whether the second unique identifier received in the first authentication request matches the second unique identifier received in the second authentication request, and also based on whether the first unique identifier received in the first authentication request is associated in an authentication database with the second unique identifier received in the second authentication request for the purpose of securing handoff between a licensed and unlicensed system (or base station).

Allowable Subject Matter

 4. Claims 3-7, 11-1~~2~~3 and 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schellinger, US Patent No. 5,488,649, discloses a method for validating a communication link.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K. Contee whose telephone number is 571.272.7906. The examiner can normally be reached on Monday through Friday, 5:30 a.m. to 2:00 p.m.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571.272.7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC



JOY K. CONTEE
PATENT EXAMINER